

DIRECTOR OF CENTRAL INTELLIGENCE  
**Security Committee**

SECOM-D-038

22 February 1982

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence

STAT  
FROM:

Chairman

SUBJECT: Implementation of NSDD-19 on Protection of  
Classified National Security Council and  
Intelligence Information

REFERENCE: Assistant to the President for National Security  
Affairs Memorandum dated 2 February 1982

1. Action Requested: Your approval of proposals to implement  
tasking to the DCI in reference.

2. Background: The President signed NSDD-19 on 12 January 1982, establishing certain procedures to protect NSC and intelligence information, and directing Mr. Clark to implement its policy guidelines. Strong, adverse press reaction prompted White House reconsideration of this policy. Current policy is stated in referenced memorandum, which rescinded earlier NSDD-19 implementation, dropped all mention of mandatory advance approval at very senior levels for all contacts with the news media, and softened language on investigation of leaks. The DCI is now directed to draft procedures for intelligence similar to those prescribed by Mr. Clark for the protection of NSC information. Your draft procedures are to be cleared within the Community and submitted for NSC consideration no later than 15 March 1982, with any dissents noted.

3. Discussion: The first round of proposals on NSDD-19 implementation surfaced a consensus that we should use this opportunity to tighten control over intelligence information in a manner that recognizes resource limitations and timeliness imperatives, and which would give us better tools to resolve

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unauthorized disclosures. We believe that consensus still prevails notwithstanding the softening of White House policy. I attended an NSC Staff organized meeting on NSDD-19 implementation held on 19 February. Nothing was surfaced there indicating that we should change this proposed policy for the Community.

4. Staff Position: Our proposals on implementation of this are:

a. Definition of "classified intelligence information" which is to be subject to strict controls comparable to those for NSC material -- we propose that this be defined as Sensitive Compartmented Information (SCI), Operations Directorate Blue Border series material, and, within Defense, special access program information directly related to intelligence (e.g.,

[redacted] These types of data are tightly controlled now because of their sensitivity.

b. Access limitations -- we propose to task NFIB/NFIC members to review their current access and dissemination practices against strict "must know" criteria.

c. Document controls -- we propose to restate current requirements that SCI, etc., material bear cover sheets identifying authorized recipients.

d. Personal accountability and responsibility -- we propose slight modifications of existing procedures on use of nondisclosure agreements. Signature of such agreements is now a condition of access to SCI. Current policy encourages but does not mandate having those agreements include specific prepublication review requirements. The absence of such may blur a signatory's sense of responsibility. Accordingly, we propose mandatory use of nondisclosure agreements containing specific pre-publication review requirements.

e. Unauthorized Disclosure Investigations -- we propose to require Senior Intelligence Officials to conduct internal investigations whenever they determine that SCI, etc., in their custody has been compromised, and to report their determinations to you. Further, we propose that you tell the Community that you will refer significant leaks to Justice, requesting FBI investigation, and that NFIB/NFIC members will need to give the FBI access to their internal investigative

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results when Justice tasks the Bureau to open a case. We also propose that Senior Intelligence Officials be informed that the polygraph may be used in leak investigations.

f. News Media Contacts -- we propose to limit contacts to senior officials on the basis of individual, advance approvals by cognizant NFIB/NFIC members, with the latter to keep you informed of contacts likely to result in publicity. Routine "no comment" responses to press inquiries would be exempted.

5. Recommendation: That you review these proposals and sign the attached ~~draft~~ memorandum to communicate them to the Community for information and comment.

STAT



Attachment

APPROVED:

\_\_\_\_\_  
Director of Central Intelligence      Date

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SUBJECT: Implementation of NSDD-19 on Protection of Classified  
National Security Council and Intelligence Information

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MEMORANDUM FOR NATIONAL FOREIGN INTELLIGENCE COUNCIL

SUBJECT: Implementation of NSDD-19 on Protection of Classified National Security Council and Intelligence Information

REFERENCE: Assistant to the President for National Security Affairs Memorandum dated 2 February 1982

1. Referenced memorandum provides new national policy guidance on protection of certain types of sensitive information in implementation of NSDD-19. Mr. Clark has directed me to develop draft procedures for protection of classified intelligence information similar to those prescribed for National Security Council material, and to submit my procedures for NSC consideration no later than 15 March 1982.

2. My proposed implementing procedures are attached. I request that you provide me any specific concerns you have with these no later than 10 March, and that you include suggested alternatives to alleviate any such concerns. If addressees indicate sufficient need, we will discuss these procedures at an early NFIC meeting.

William J. Casey

Attachment

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DRAFT

## PROTECTION OF CLASSIFIED INTELLIGENCE INFORMATION

This responds to the instructions of the Assistant to the President for National Security Affairs that the DCI develop procedures to protect classified intelligence information similar to those established for National Security Council (NSC) information.

### Sensitive Intelligence Information

For purposes of this policy sensitive intelligence information means (1) all classified intelligence information bearing Intelligence Community special access controls formally limiting access and dissemination (equals Sensitive Compartmented Information (SCI)); (2) all CIA/DDO Blue Border series material; and (3) all other information directly related to intelligence and which is controlled by special access programs established by department/agency heads in accordance with the provisions of Executive Order 12065.

### Access Procedures

Departments and agencies that originate or receive sensitive intelligence information shall keep the number of their personnel having access to such information to the absolute minimum. Senior Intelligence Officials (members of NFIB or NFIC) are directed to take immediate action to review current access and dissemination practices. The review is to ensure that inertia and out-dated

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justifications do not contribute to continued access by persons who have no current "must know." All accesses to sensitive intelligence information shall be on the basis of strict application of "must know."

Cover Sheets

Cover sheets shall be used on all sensitive intelligence information in hard copy form. These shall identify the office(s)/person(s) to which/whom such information is disseminated. Current cover sheets for SCI and other information may be used if they provide this identifying data.

Personal Accountability

No person may be granted access to sensitive intelligence information without having first signed a nondisclosure agreement which contains a specific requirement for pre-publication review of information concerning or related to intelligence matters. A person's signature of such an agreement is considered sufficient indication that he or she is aware of personal responsibilities to protect sensitive intelligence information, and of the duty to cooperate fully in any investigation of unauthorized disclosure of that information.

Investigation of Unauthorized Disclosures

Senior Intelligence Officials are directed to conduct timely internal investigations when they determine that an unauthorized disclosure of sensitive intelligence information in their custody has occurred. The polygraph is an appropriate means for use in

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unauthorized disclosure investigation. All such determinations shall be reported to the DCI, with assessments of the disclosure's damage and the degree of known dissemination of the disclosed information. The DCI will refer significant unauthorized disclosures to the Department of Justice requesting FBI investigation. Whenever Justice directs an FBI investigation, the FBI shall be provided access to the full scope of internal investigation results.

Contacts with the News Media

There should be no reason for any but the most senior intelligence officers to have any contacts with the news media, and those contacts must be severely limited and subject to specific advance approval. When a senior level contact with the news media is deemed absolutely necessary in a Community department or agency, it may be made only with the specific advance approval of the cognizant Senior Intelligence Official. In no case may approval be given to discussion of classified intelligence sources or methods in any contacts with the news media. Whenever a Senior Intelligence Official believes that a contact he is authorizing may result in publicity concerning intelligence activities or information, he shall advise the DCI or his designee of the circumstances by appropriate and timely means.